

**MINUTES OF THE MEETING OF THE JERSEY VILLAGE  
BOARD OF ADJUSTMENT**

February 12, 2020 – 12:00 p.m.

The Board of Adjustment of the City of Jersey Village, Texas, convened on February 12, 2020 at 12:00 p.m. in the Municipal Civic Center Meeting Room at 16327 Lakeview Drive, Jersey Village, Texas 77040.

**A. The meeting was called to order by Chairman Tom G. Simchak at 12:00 p.m. and the roll of appointed officers was taken. Board Members present were:**

Thomas G. Simchak, Chairman	M. Reza Khalili, Board Member
Henry Hermis, Board Member	Judy Tidwell, Alternate Place 2
Ken Nguyen, Board Member	
Joe Pennington, Board Member	

Council Liaison, Gary Wubbenhorst was present.

Nester Mena, Alternate Place 1, was not present at this meeting.

City Staff in attendance: Scott Bounds, City Attorney; Lorri Coody, City Secretary; and Christian Somers, Building Official.

**B. Designate alternate members to serve in place of any absent Board Members.**

Chairman Simchak indicated that all Regular Board Members were present and there was no need for the appointment of alternate members.

**C. Election of chairperson and vice-chairperson for one-year term beginning October 1, 2019 and ending September 30, 2020.**

Chairman Simchak opened nominations for Chair of the Board for a one-year term beginning October 1, 2019 and ending September 30, 2020. Board Member Pennington nominated Board Member Thomas G. Simchak. Board Member Khalili seconded the nomination. With no other nominations being made, the vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili

Nays: None

Chairman Simchak did not vote

The motion carried.

Chairman Simchak opened nominations for the office of Vice Chair for a one-year term beginning October 1, 2019 and ending September 30, 2020. He told the Board that Board Member Hermis, the current Vice Chair, has indicated that he does not desire to serve in this position moving forward. With this in mind, Board Member Khalili nominated Board Member Pennington. Board Member Nguyen seconded the nomination. With no other nominations being made, the vote follows:

Ayes: Board Members Hermis, Nguyen, Khalili  
Chairman Simchak

Nays: None

Abstained: Board Member Pennington

The motion carried.

**D. Consider approval of the minutes for the meeting held on July 17, 2019.**

There was discussion about the need for a correction to the minutes. It was pointed out that on page 6, the word “exiting” in the second full paragraph should be corrected to “existing.”

With no more discussion on the matter, Board Member Khalili moved to approve the minutes as corrected for the meeting held on July 17, 2019. Board Member Hermis seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili  
Chairman Simchak

Nays: None

The motion carried.

**E. Conduct a public hearing on East Signs of Houston’s requests for variance, filed on behalf of Harwin Gessner Investment, Inc., owner, for (1) a variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit; and for (2) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article X, Section 14-252(2)(c)(2)(b) in order to allow the applicant to place a sign that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.**

Chairman Simchak opened the public hearing at 12:04 p.m. in order to receive written and oral comments from any interested person(s) concerning East Signs of Houston’s request, filed on behalf of Harwin Gessner Investment, Inc., owner, for (1) a variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit; and (2) for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article X, Section 14-252(2)(c)(2)(b) in order to allow the applicant to place a sign that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.

The Board found that all notification requirements for both the City and the applicant have been met for this public hearing.

Chairman Simchak called upon the applicant to present her case and supporting evidence concerning the variance request. Jessie Yao with East Signs of Houston appeared on behalf of the owner, Harwin Gessner Investment, Inc. She presented the Board with a hardcopy print out of the property for which the variance is being sought. She explained that currently, there is only one pole sign on the property, which represents only one of the tenants. The rest of the

tenants who rent at this location do not have a pole sign advertising their business. As a result, she told the Board, that these tenants have refused to pay their rents until a pole sign is installed. In addition, because prospective tenants have no way of advertising businesses located on this property, it has been near impossible to get new tenants to fill vacancies. As a result, she is requesting a second pole sign that can be seen from US HWY 290 and the feeder road. She stated that due to the US HWY 290 expansion project; the property at this location has decreased, making it difficult to place signage. She told the Board that the application packet explains in detail the sign being sought and, if approved, the location of the pole on the property.

The Board reviewed the site plan that was presented to them by the applicant.

Board Chairman Simchak called Christian Somers, the City's Building Official, to present any information that he deemed necessary, appropriate, or relative to the application.

Mr. Somers stated that East Signs Houston, LLC, on behalf of Harwin Gessner Investment, Inc., owner, is requesting two variances in order to allow for the installation of a tenant panel sign to serve this entire commercial development, which is actually composed of two separately platted parcels, both owned by Harwin Gessner Investment, Inc. He told the Board that the City would like to ensure the viability of this strip shopping center, and noted that the center has had issues retaining tenants.

He went on to explain that this location, at one time, had more ground pole signs than the single ground pole sign that is allowed by right, one of which was a tenant panel sign.

He went on to explain that because of the US HWY 290 construction project, the old Valero Station remodeled and is now a Shell Station. The remodel required that the gas tanks and the canopy covering the gas tanks be resituated on the property to accommodate the changes made by the US HWY 290 project. As a result, the tenant panel sign was removed.

In addition, during the remodel, the existing Valero Sign was re-faced to a Shell Sign and is now the only pole sign currently located on the property.

There was another sign that was once located on this property for Hartz Fried Chicken, but a demolition permit for that ground pole sign was issued in late January.

Therefore, the current variances requested by the applicant are based upon the requirements for an Integrated Business District (IBD). The purpose of the requests is to have two ground pole signs, which would be in lieu of a ground pole sign and monument sign currently allowed by right. If granted, the two pole signs would comprise the existing Fuel Time Shell gas sign and the newly proposed tenant panel sign. The request also includes that the proposed tenant panel sign be allowed to be installed within 50' of interior lot line setbacks. This location is needed in order to accommodate the challenges related to the various building footprints and the shape of the lots after the "takings" necessitated by the US HWY 290 Expansion Project.

After concluding his presentation, the Board asked about the requirements for an IBD. Mr. Somers stated that an IBD is permitted to have one pole sign and one monument sign. The request is to add another pole sign instead of the monument sign. The Board also discussed parking at this location as well as landscaping.

The Board discussed the hardship created by the US HWY 290 Expansion Project. Mr. Somers reported that the expansion project took about eight to ten feet away from this owner's property, making it difficult for the placement of signage.

Some members of the Board wondered if granting these variances would affect any new owners of the property should only one of the two parcels be sold. Mr. Somers explained that the variances go with the property and the new owners would still be able to share the tenant sign.

With no further discussion about the second pole sign, Mr. Somers explained the second portion of the variance request concerning the location of the proposed pole sign within the 50' interior lot line requirement. He stated that the proposal is to locate the sign 40 feet from the Northwest corner of the property and less than 50 feet from Hartz Fried Chicken. This is the best location given the decrease in lot size due to the US HWY 290 Expansion Project.

The Board again discussed hardship due to the US HWY 290 Expansion Project.

With no further discussion, the Board Chairman called if there was anyone else desiring to speak in favor or opposed to the granting of the application. Hearing none, the Board Chairman called upon the applicant to make any rebuttal statements.

Ms. Yao had brief comments about the new signage and the requests for variance.

Chairman Simchak closed the public hearing on East Signs of Houston's request, filed on behalf of Harwin Gessner Investment, Inc., owner, for (1) a variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit; and (2) for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article X, Section 14-252(2)(c)(2)(b) in order to allow the applicant to place a sign that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040 at 12:28 p.m.

**(1) Discuss and take appropriate action on East Signs of Houston's request, filed on behalf of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.**

With no further discussion on the matter, Board Member Hermis moved to approve East Signs of Houston's request, filed on behalf of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040 based upon the hardship created by the US HWY 290 Expansion Project. Board Member Khalili seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili  
Chairman Simchak

Nays: None

The motion carried.

*The Board's Original Order No. 2020-01 is attached to and made a part of these minutes.*

- (2) Discuss and take appropriate action on East Signs of Houston's request, filed on behalf of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-252 (2)(c)(2)(b) in order to allow the applicant to place a sign on said property that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.**

With no further discussion on the matter, Board Member Hermis moved to approve East Signs of Houston's request, filed on behalf of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-252 (2)(c)(2)(b) in order to allow the applicant to place a sign on said property that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040 based upon the hardship created by the US HWY 290 Expansion Project. Board Member Khalili seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili  
Chairman Simchak

Nays: None

The motion carried.

*The Board's Original Order No. 2020-02 is attached to and made a part of these minutes.*

- F. Conduct a public hearing on Robert Sanders' requests for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, for (1) a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines; for (2) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way; and for (3) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(1) in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.**

Chairman Simchak opened the public hearing at 12:32 p.m. in order to receive written and oral comments from any interested person(s) concerning Robert Sanders' requests for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, for (1) a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines; for (2) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way; and for (3) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(1) in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

The Board found that all notification requirements for both the City and the applicant have been met for this public hearing.

Chairman Simchak called upon the applicant to present his case and supporting evidence concerning the variance requests. Robert Sanders appeared on behalf of BHA Real Estate Holdings, LLC, owner of the property located at 16634 NW Freeway, Jersey Village, Texas 77040. He told the Board that his company has been working with the City in order to renovate this property as a result of the US HWY 290 Expansion Project. He asked that Christian Somers, the City's Building Official, be called in order to present the issues and he will follow-up with a rebuttal if needed.

Chairman Simchak called upon Mr. Somers to proceed with his presentation concerning any information that he deems necessary, appropriate, or relative to the application

He stated that Berkshire Hathaway Automotive Real Estate Holdings, LLC, owner, has requested a variance in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines. The existing parking lot areas that are contiguous to lot lines are proposed for restriping, with spaces delineated such that vehicular parking at said areas will be exacerbated. There are essentially two areas: 1) the rear of the lot where contiguous with City facilities; and 2) the rear left side at the western corner.

He cautioned the Board that the parking lot itself already encroaches within 10' of the lot lines to the rear, right side and front and actually encroaches beyond the left side lot line. Only at the rear and rear left will the potential of actual parking be increased, although in essence it will not since vehicles are already placed chock-a-block style regardless of the striping.

Currently there are no plans to replace any existing concrete along the periphery. Only the following is slated:

1. removal and modifications which will be needed for the required parking lot's landscaped areas (especially medians), within the site and along periphery; and
2. the placement of concrete covered by the Fleet Building and an adjacent landscaped strip.

There are some improvements planned:

1. fewer spaces contiguous with the Hwy 290 ROW (with the addition of a landscaped median at the right-side of the site's primary entrance driveway), and
2. fewer spaces contiguous to Meadow Lane (with the addition of two additional landscaped medians).

Mr. Somers also note the following:

1. Joe Myer's recently constructed an overflow inventory storage parking lot on Seattle Slew Dr. at Castlebridge Dr., with the "Certificate of Occupancy" issued in 2018;
2. Employees park on the grass along Jersey Drive and at the second driveway (as well as at the Church); and
3. Though paved now, the first proposed driveway to the east at Meadow Lane is too close to Jersey Drive (the driveways at this area are to be delineated by the new landscaped medians) – Fig. 14-16 of the Code of Ordinances requires a distance of at least 55' along a local or minor street from a collector street.

The second variance request is to allow for the applicant to eliminate the required landscaping strip along the perimeter. Currently, the landscaping strips does not exist. The parking lot itself already encroaches within 10' of the lot line to the rear, right side and front, and actually encroaches beyond the left side lot line. There are no plans to replace any existing concrete along the periphery.

The third variance request is to allow for less than the minimum of 10% landscaped area. Currently, they have roughly the same landscaped area prior to redevelopment as is being requested via variance. They will remove a landscaping strip but will increase the number of landscaped medians.

The Board discussed the proposed parking lot with the restriping. Mr. Somers showed the Board a large printout of the existing property and explained how it will be affected by the proposed changes. The Board asked questions about the parking and landscaping, to which Mr. Somers responded. The applicant added that while some areas of landscaping will be eliminated, they are adding over 100 trees.

The Board discussed the masonry wall that will be added along the back of the property as part of the remodel.

The Board discussed the proposed changes. It was noted that the variance is being requested due to the hardship caused by the US HWY 290 Expansion Project, which had decreased the footprint of this property.

The landscaping requirements were discussed. It was noted that some of the landscaping was lost due to the new highway.

With no further discussion, the Board Chairman called if there was anyone else desiring to speak in favor or opposed to the granting of the application. Hearing none, the Board Chairman called upon the applicant to make any rebuttal statements.

Hearing no rebuttal comments, Chairman Simchak closed the public hearing on Robert Sanders' requests for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, for (1) a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines; for (2) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way; and for (3) a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(1) in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040 at 12:48 p.m.

**(1) Discuss and take appropriate action on Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.**

With no further discussion on the matter, Board Member Hermis moved to approve Robert Sanders' request, filed on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040 based upon the hardship created by the US HWY 290 Expansion Project. Board Member Khalili seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili  
Chairman Simchak

Nays: None

The motion carried.

*The Board's Original Order No. 2020-03 is attached to and made a part of these minutes.*

- (2) Discuss and take appropriate action on Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.**

With no further discussion on the matter, Board Member Hermis moved to approve Robert Sanders' request, filed on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040 based upon the hardship created by the US HWY 290 Expansion Project. Board Member Khalili seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili  
Chairman Simchak

Nays: None

The motion carried.

*The Board's Original Order No. 2020-04 is attached to and made a part of these minutes.*

- (3) Discuss and take appropriate action on Robert Sanders' request for variance, filed on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinances at Chapter 14, Article XII, Section 14-309(b)(1) in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.**

With no further discussion on the matter, Board Member Hermis moved to approve Robert Sanders' request, filed on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XII, Section 14-309(b)(1)



in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040 based upon the hardship created by the US HWY 290 Expansion Project. Board Member Khalili seconded the motion. The vote follows:

Ayes: Board Members Hermis, Pennington, Nguyen, Khalili  
Chairman Simchak

Nays: None

The motion carried.

*The Board's Original Order No. 2020-05 is attached to and made a part of these minutes.*

**G. Adjourn**

With no other business before the Board, Chairman Simchak adjourned the meeting at 12:52 p.m.



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Lorri Coody, City Secretary



**CITY OF JERSEY VILLAGE  
BOARD OF ADJUSTMENT  
ORDER NO. 2020-01**

**WHEREAS**, on January 23, 2020, East Signs of Houston filed a request on behalf of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.

**WHEREAS**, the Board conducted a Public Hearing and received information from the Public and from the Applicants on February 12, 2020; and

**WHEREAS**, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public's interest;
- if, due to special conditions, enforcement of Chapter 14, Article X, Section 14-253(d) will result in an unnecessary hardship for Harwin Gessner Investment, Inc.; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

**NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF JERSEY VILLAGE THAT:**

**SECTION 1.** In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to  X  GRANT      DENY the request of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-253(d) in order to allow the applicant to install a second pole sign which exceeds the one (1) pole sign limit for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.

**PASSED, APPROVED, AND ORDERED** this 12th day of February 2020.

s/Thomas G. Simchak, Chairman

**ATTEST:**

s/Lorri Coody, City Secretary





**CITY OF JERSEY VILLAGE  
BOARD OF ADJUSTMENT  
ORDER NO. 2020-02**

**WHEREAS**, on January 23, 2020, East Signs of Houston filed a request on behalf of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-252 (2)(c)(2)(b) in order to allow the applicant to place a sign on said property that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.

**WHEREAS**, the Board conducted a Public Hearing and received information from the Public and from the Applicants on February 12, 2020; and

**WHEREAS**, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public's interest;
- if, due to special conditions, enforcement of Chapter 14, Article X, Section 14-252 (2)(c)(2)(b) will result in an unnecessary hardship for Harwin Gessner Investment, Inc.; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

**NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF JERSEY VILLAGE THAT:**

**SECTION 1.** In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to  X  GRANT      DENY the request of Harwin Gessner Investment, Inc., owner, for variance to the Jersey Village Code of Ordinance at Chapter 14, Article X, Section 14-252 (2)(c)(2)(b) in order to allow the applicant to place a sign on said property that encroaches the 50 foot interior property line by 10 feet for the property located at 17342 Northwest Freeway, Jersey Village, Texas 77040.

**PASSED, APPROVED, AND ORDERED** this 12th day of February 2020.

S/Thomas G. Simchak, Chairman

**ATTEST:**

S/Lorri Coody, City Secretary





**CITY OF JERSEY VILLAGE  
BOARD OF ADJUSTMENT  
ORDER NO. 2020-03**

**WHEREAS**, on January 27, 2020, Robert Sanders filed a request on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**WHEREAS**, the Board conducted a Public Hearing and received information from the Public and from the Applicants on February 12, 2020; and

**WHEREAS**, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public's interest;
- if, due to special conditions, enforcement of Chapter 14, Article XI, Section 14-281(c)(7) will result in an unnecessary hardship for BHA Real Estate Holdings, LLC; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

**NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF JERSEY VILLAGE THAT:**

**SECTION 1.** In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to  X  GRANT       DENY the request of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XI, Section 14-281(c)(7) in order to allow the applicant to eliminate the 10' parking setbacks required for the front, side and rear property lines for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**PASSED, APPROVED, AND ORDERED** this 12th day of February 2020.

S/Thomas G. Simchak, Chairman

**ATTEST:**

S/Lorri Coody, City Secretary





**CITY OF JERSEY VILLAGE  
BOARD OF ADJUSTMENT  
ORDER NO. 2020-04**

**WHEREAS**, on January 27, 2020, Robert Sanders filed a request on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**WHEREAS**, the Board conducted a Public Hearing and received information from the Public and from the Applicants on February 12, 2020; and

**WHEREAS**, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public's interest;
- if, due to special conditions, enforcement of Chapter 14, Article XII, Section 14-309(b)(2) will result in an unnecessary hardship for BHA Real Estate Holdings, LLC; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

**NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF JERSEY VILLAGE THAT:**

**SECTION 1.** In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to X GRANT \_\_\_ DENY the request of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XII, Section 14-309(b)(2) in order to allow the applicant to eliminate the 10' landscape area adjacent to each street right of way for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**PASSED, APPROVED, AND ORDERED** this 12th day of February 2020.

S/Thomas G. Simchak, Chairman

**ATTEST:**

S/Lorri Coody, City Secretary





**CITY OF JERSEY VILLAGE  
BOARD OF ADJUSTMENT  
ORDER NO. 2020-05**

**WHEREAS**, on January 27, 2020, Robert Sanders filed a request on behalf of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XII, Section 14-309(b)(1) in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**WHEREAS**, the Board conducted a Public Hearing and received information from the Public and from the Applicants on February 12, 2020; and

**WHEREAS**, after closing the hearing, the Board in making its decision considered:

- if the request for variance is contrary to the public's interest;
- if, due to special conditions, enforcement of Chapter 14, Article XII, Section 14-309(b)(1) will result in an unnecessary hardship for BHA Real Estate Holdings, LLC; and
- that in granting the variance, the spirit of this chapter will be upheld and observed;

**NOW THEREFORE, BE IT ORDERED BY THE BOARD OF ADJUSTMENT OF THE CITY OF JERSEY VILLAGE THAT:**

**SECTION 1.** In consideration of the information before the Board, with a concurring vote of at least four (4) members, the Board voted to  X  GRANT      DENY the request of BHA Real Estate Holdings, LLC, owner, for a variance to the Jersey Village Code of Ordinance at Chapter 14, Article XII, Section 14-309(b)(1) in order to allow the applicant to limit the total landscape area for the lot to 6% instead of the required 10% for the property located at 16634 Northwest Freeway, Jersey Village, Texas 77040.

**PASSED, APPROVED, AND ORDERED** this 12th day of February 2020.

S/Thomas G. Simchak, Chairman

**ATTEST:**

S/Lorri Coody, City Secretary

